

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

William Edward Webb Jr.
Carol A. Webb
Debtor(s)

Bankruptcy Case No.: 19-70732-JAD
Issued per 11/19/2020 Proceeding
Chapter: 13
Docket No.: 65 – 53, 57, 63
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated 10/23/2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Peoples Natural Gas to be paid per order entered 10/9/2020 @ Doc. #60; Mariner Finance [Claim #18-2] to be paid per plan terms .
- ☒ H. Additional Terms: IRS [Claim #5] to be paid as a priority claim in the amount of \$3986.16 assuming there are duplicates in the claim.

Bank of America [Claim #17] PPFN in amount of \$650 to be paid.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) IT IS FURTHER ORDERED THAT:

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: November 24, 2020

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
William Edward Webb, Jr.
Carol A. Webb
Debtor(s)

Case No. 19-70732-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-7

User: skoz

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Date Rcvd: Nov 24, 2020

Form ID: 149

Total Noticed: 28

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 26, 2020:

Recip ID	Recipient Name and Address
db/jdb	+ William Edward Webb, Jr., Carol A. Webb, 312 Robinson Avenue, Johnstown, PA 15905-3138
cr	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
cr	+ Pinnacle Service Solutions LLC, Pinnacle Service Solutions LLC, 4408 Milestrip Rd #247, Blasdell, NY 14219, UNITED STATES 14219-2553
15198236	Bank of America, N.A., P.O. Box 31785, Tampa FL 33631-3785
15166917	+ Bank of America, N.A. Succesor, By Merger To BAC Home Loans Servicing, 7105 Corporate Drive, Plano, TX 75024-4100
15166919	+ Comenity Bank/Giant Eagle, P.O. Box 788, Kirkland, WA 98083-0788
15166921	+ Encircle Collections I, Attn: Bankruptcy Dept., P.O. Box 182125, Columbus, OH 43218-2125
15166926	+ Mariner Finance, LLC, 8211 Town Center Drive, Nottingham, MD 21236-5904
15166928	+ Peoples Natural Gas Company, c/o James Wallace, P.C., 845 N. Lincoln Avenue, Pittsburgh, PA 15233-1828
15166929	Phelan Hallinan Diamond & Jones LLP, Attn: Abigail Brunner, Esq., 1617 JFK Boulevard, Suite 1400, One Penn Center Plaza, Philadelphia, PA 19103
15190239	+ Pinnacle Service Solutions LLC, 4408 Milestrip Rd #247, Blasdell NY 14219-2553

TOTAL: 11

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
15188723	Email/Text: ally@ebn.phinsolutions.com	Nov 25 2020 03:10:00	Ally Bank, PO Box 130424, Roseville MN 55113-0004
15166916	Email/Text: ally@ebn.phinsolutions.com	Nov 25 2020 03:10:00	Ally Financial, P.O. Box 380902, Minneapolis, MN 55438-0902
15166918	+ Email/Text: bankruptcy@capvs.com	Nov 25 2020 03:12:00	Calvary Portfolio Services, 500 Summit Lake Drive, Suite 400, Valhalla, NY 10595-2322
15196724	+ Email/Text: bankruptcy@capvs.com	Nov 25 2020 03:12:00	Cavalry Investments, LLC, 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321
15166920	+ Email/Text: G06041@att.com	Nov 25 2020 03:12:00	Direct TV, c/o American Info Source, P.O. Box 5008, Carol Stream, IL 60197-5008
15166922	+ Email/Text: JCAP_BNC_Notices@jcap.com	Nov 25 2020 03:12:00	First Premier Bank, Jefferson Capital Systems LLC, P.O. Box 7999, Saint Cloud, MN 56302-7999
15166923	Email/Text: sbse.cio.bnc.mail@irs.gov	Nov 25 2020 03:11:00	Internal Revenue Service, Insolvency Unit, P.O. Box 7346, Philadelphia, PA 19101-7346
15166924	Email/Text: JCAP_BNC_Notices@jcap.com	Nov 25 2020 03:12:00	Jefferson Capital, P.O. Box 7999, Saint Cloud, MN 56302
15191593	Email/Text: JCAP_BNC_Notices@jcap.com	Nov 25 2020 03:12:00	Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-9617
15169546	Email/PDF: resurgentbknofications@resurgent.com	Nov 25 2020 02:10:04	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15166925	+ Email/PDF: resurgentbknofications@resurgent.com	Nov 25 2020 02:12:56	LVNV Funding, LLC assignee of FNBM,LLC, Reasurgent Capital Services, P.O. Box 10587,

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Greenville, SC 29603-0587

15166927	+ Email/Text: bankruptcydpt@mcmcg.com	Nov 25 2020 03:12:00	Midland Funding LLC, P.O. Box 2011, Warren, MI 48090-2011
15185057	+ Email/Text: ecfbankruptcy@progleasing.com	Nov 25 2020 03:12:00	NPRTO North-East, LLC, 256 West Data Drive, Draper, Utah 84020-2315
15180742	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Nov 25 2020 02:11:28	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15190418	+ Email/Text: JCAP_BNC_Notices@jcap.com	Nov 25 2020 03:12:00	Premier Bankcard, Llc, Jefferson Capital Systems LLC Assignee, Po Box 7999, Saint Cloud Mn 56302-7999
15190235	Email/Text: bnc-quantum@quantum3group.com	Nov 25 2020 03:11:00	Quantum3 Group LLC as agent for, CF Medical LLC, PO Box 788, Kirkland, WA 98083-0788
15166930	+ Email/PDF: EBN_AIS@AMERICANINFOSOURCE.COM	Nov 25 2020 02:11:33	Verizon, by American InfoSource as agent, P.O. Box 4457, Houston, TX 77210-4457

TOTAL: 17

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Bank Of America, N.A.
cr	*+	BANK OF AMERICA, N.A., P.O. Box 31785, TAMPA, FL 33631-3785
15192477	*+	Midland Funding LLC, PO Box 2011, Warren, MI 48090-2011
15193428	*	Verizon, by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457

TOTAL: 1 Undeliverable, 3 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 26, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 24, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Bank Of America N.A. bnicholas@kmlawgroup.com
David Z. Valencik	on behalf of Joint Debtor Carol A. Webb dvalencik@c-vlaw.com cvlaw.ecf.dvalencik@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com:ssimmons@c-vlaw.com;mpeduto@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com
David Z. Valencik	on behalf of Debtor William Edward Webb Jr. dvalencik@c-vlaw.com, cvlaw.ecf.dvalencik@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com:ssimmons@c-vlaw.com;mpeduto@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com

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Jerome B. Blank

on behalf of Creditor Bank Of America N.A. pawb@fedphe.com

Mark B. Peduto

on behalf of Joint Debtor Carol A. Webb mpeduto@c-vlaw.com
jadam@c-vlaw.com;ssimmons@c-vlaw.com;kmosur@c-vlaw.com;apratt@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com

Mark B. Peduto

on behalf of Debtor William Edward Webb Jr. mpeduto@c-vlaw.com,
jadam@c-vlaw.com;ssimmons@c-vlaw.com;kmosur@c-vlaw.com;apratt@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

Thomas Song

on behalf of Creditor Bank Of America N.A. pawb@fedphe.com

TOTAL: 10